

Smoking in late pregnancy is linked to lower IQ in offspring

Mothers who smoke in late pregnancy risk having children with lower intelligence. Young men whose mothers smoked 20 or more cigarettes a day had IQs that were on average 6.2 points below those of sons of non-smokers, research has found (*Paediatric and Perinatal Epidemiology* 2005;19:4-11).

The more cigarettes a woman smoked, the greater the risk. The association was as strong in children with high social status as in low status offspring.

Authors of the study say the findings may explain why smoking during pregnancy has also been linked to behavioural problems and increased risk of criminality in offspring.

In their research they used the Copenhagen perinatal cohort born between 1959 and 1961, which includes data on smoking in pregnancy, especially in the third trimester.

They then looked at intelligence data for 3044 of the sons, whose IQs were measured by military draft board intelligence tests at the age of 18 to 19.

Maternal smoking during the third trimester, adjusted for the seven covariates, showed a negative association with offspring adult intelligence ($P=0.0001$).

The mechanism involved is not clear, but the authors say an adverse effect on the central nervous system and brain may be a factor.

Roger Dobson *Abergavenny*

Two class actions against tobacco industry get the go-ahead

Canada's three main tobacco companies will be forced to defend the safety of their products in two class action lawsuits that could be worth more than \$C15bn (£6.3bn; \$12.1bn; €9.2bn) in claims, as a result of the peculiarity of a Quebec law.

In a landmark decision Mr Justice Pierre J. J. J. has "certified" two class action lawsuits against JTI-Macdonald; Rothmans, Benson & Hedges; and Imperial Tobacco. This means that, under Quebec law, no appeal is possible and the case must go to trial.

The two class actions centre on Cecilia Letourneau, 58, of Rimouski, Quebec—who has been smoking since she was 19 and has been unable to stop—on behalf of about two million people in the province, and Jean-Yves Blais, 60, a taxi driver who, after smoking for 40 years, had an operation for lung cancer. His lawyers hope to compensate more than 40 000 smokers or former smokers who have emphysema or cancers of the lung, larynx, or throat.

The tobacco companies intend to fight the suits.

David Spurgeon *Quebec*

UK surgeons report that EU directive has cut training time

Surgical training in the United Kingdom and the Republic of Ireland has been adversely affected by the introduction of the European working time directive in August 2004, an online survey of trainee surgeons shows.

The survey found that nearly 90% of senior house officers considered that revised working patterns had adversely affected their training by reducing their time in the operating theatre, contact with surgeon trainers, and/or time in out-patient clinics.

The directive limits the working week for junior doctors to a maximum of 58 hours, with a reduction to 56 hours in 2007. Eighty two per cent of survey respondents said that their training time in theatre had decreased, and almost three quarters considered that direct contact time with their trainer(s) had decreased.

Susan Mayor *London*

Full details are at www.rcseng.ac.uk/service_provision/ewtd/index_html

Bush signs act that restricts class action suits in state courts

Jeanne Lenzer *New York*

President George Bush has signed the controversial Class Action Fairness Act of 2005, which limits eligibility for filing class action suits in state courts, saying the act is a "critical step toward ending the lawsuit culture in our country."

At the signing ceremony, President Bush charged that "junk lawsuits" caused small businesses to "close their doors for good." He said that such lawsuits forced up the total cost of the US tort system "to more than \$240bn (£125bn; €180bn) a year" and that medical liability lawsuits were "driving up the cost for doctors and patients and entrepreneurs around the country."

But critics say the costs cited by President Bush are exaggerated and that the act will make it harder to hold corporations responsible for wrongdoing.

Joanne Doroshow, attorney and founder of the Center for Justice and Democracy, told the *BMJ*, "The \$240bn figure [is] misleading... The cost of malpractice—both claims and premiums—is each less than 1% of total healthcare costs. Total payouts are about \$6bn—less than we pay for dog and cat food."

Under the act, many cases previously eligible for state courts will be forced into federal courts. But critics say that moving class action suits into overburdened federal courts will create unfair obstacles for plaintiffs. Federal courts gen-

erally take longer to hear cases and are also widely considered to be less likely to approve (certify) class action cases for adjudication.

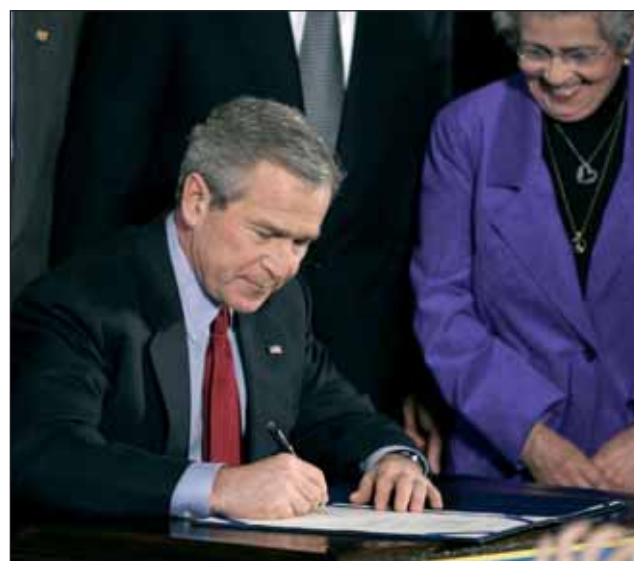
A recent review of 43 class action cases by Public Citizen, a non-profit public interest group based in Washington, DC, found that state courts certified 11 of 17 cases while federal courts certified only 9 of 26 cases.

The act was supported by, among others, the American Tort Reform Association, which represents tobacco companies; the American Medical Association; Johnson & Johnson; Pfizer; and Wyeth.

"We applaud the House and Senate for its strong bipartisan support for this important legislation," said Sherman Joyce, the president of the American Tort Reform Association.

Jeffrey Kaplan of ReclaimDemocracy.org, a non-profit group that seeks to restore "citizen authority over corporations," told the *BMJ* that the act is burdensome not only to individual plaintiffs but to society as a whole. "What is the cost to society if 10 000 people are forced to hire 10 000 lawyers? By shifting [cases] to federal courts, they are looking to close off people's ability to sue."

Disclosure could be another victim of the act, Ms Doroshow told the *Multinational Monitor*, a monthly magazine in Washington, DC. □



President Bush signs Class Action Fairness Act in the White House